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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-0462 PJH
)	RELATED TO: 01-138 PJH
Plaintiff,)	
)	STIPULATION AND [PROPOSED] ORDER
v.)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
)	
MAURICE ALLEN,)	
)	
Defendant.)	
_____)	

The parties appeared before the Honorable Phyllis J. Hamilton on August 13, 2008.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from August 13, 2008 to September 3, 2008 in light of the need for continuity of counsel and for effective preparation of counsel. Defendant's attorney will transfer this case due to her pending maternity leave, therefore, failure to grant the exclusion of time for the requested continuance would deny defense counsel reasonable time necessary for effective preparation, and would also deny the defendant continuity of counsel.

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2. Given these circumstances, the Court found that the ends of justice served by excluding the time period from August 13, 2008 to September 3, 2008 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from August 13, 2008 to September 3, 2008 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: August 15, 2008

/s/

KATHERINE B. DOWLING for
OWEN P. MARTIKAN
Assistant United States Attorney

DATED: August 19, 2008

/s/

DANIEL BLANK for ELIZABETH FALK
Attorney for Defendant

SO ORDERED.

DATED: _____

THE HONORABLE PHYLLIS HAMILTON
United States District Judge